



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Title of consultant: Individual Consultant (IC) Development of a Revised Code of Conduct for the Private Sector

COUNTRY: Botswana

DESCRIPTION OF ASSIGNMENT: Revised Code of Conduct for the Private Sector

PROJECT NAME: Support to the fulfilment of human rights and access to justice and empowerment of youth and women

PROJECT NUMBER: 00102697

PERIOD OF ASSIGNMENT/SERVICES: 30 Days

1. BACKGROUND

Corruption in the private sector interferes with market mechanisms and results in economic loss through inefficiency and misallocation of resources. For this reason, a workshop was convened by the Directorate on Corruption and Economic Crime (DCEC), and Business Botswana (BB) and the Commonwealth Business Council (CBC) as part of a programme by CBC to encourage greater cooperation between the Government of the Republic of Botswana and the Private Sector in fighting corruption. In preparation for the workshop a number of interviews were conducted to highlight how corruption affects business activity and the investment climate and to review the legal constitutional and administrative arrangements currently in place to counter the threat of corruption. The workshop participants (representatives from all sectors) felt that “while Botswana rightly enjoys a good reputation for the integrity of the business environment, corruption and mal-administration remain significant problems within the Government and private sector”. Concerns were also raised regarding issues of conflict of interest, which arise as a result of links between the public servants, private companies and politicians. Following the workshop, an Agenda for Change was endorsed and agreed upon. Recommendations in the Agenda included the development

of comprehensive guidelines on corporate governance, which could be encompassed in a Code of Conduct for the Private Sector, recommendation on how Government might simplify and rationalize public administration in order to eliminate the scope of corruption.

Following the thorough stakeholder engagement, the Code of Conduct for the Private Sector was launched in 2011. The purpose of the code is to guide the private sector against unethical behavior when conducting their business activities. At the launch, about 15 companies signed the code, subsequently, a further 60 companies signed. Since the Code is voluntary, there has been a low take up rate by businesses. The DCEC considers that the implementation of the Code of Conduct for the Private Sector has been unsatisfactory and that signatories to the Code of Conduct have not been adhering to the Code. Take up of the voluntary Code and enforcement remain key issues that limit the effectiveness of the Code.

Business Botswana and DCEC with the assistance of UNDP have agreed to review and revise the Private Sector Code of Conduct to ensure that it is aligned with Vision 2036, NDP11, the Sustainable Development Goals, and international and national anti-corruption standards and best practice. The regulatory model (voluntary Code), incentives to engage with the Code and enforcement mechanisms need to be considered as part of the review.

2. **Detailed Terms of Reference** and instructions to bidders should be obtained from:
<http://procurement-notice.undp.org/>

3. SUBMISSION REQUIREMENTS

Proposals should be submitted in a sealed envelope clearly labeled: “**INDIVIDUAL CONSULTANT (IC) DEVELOPMENT OF A REVISED CODE OF CONDUCT FOR THE PRIVATE SECTOR**” and be submitted to:

The Resident Representative
United Nations Development Programme
P.O. Box 54
Gaborone, Botswana OR by email to procurement.bw@undp.org

4. SUBMISSION DATE

Proposals should be submitted to the address above no later than **4:30pm Botswana Time** on the **13th July 2018**

5. **REQUEST FOR CLARIFICATION:** Any request for clarification must be sent in writing, or by standard electronic communication to enquiries.bw@undp.org UNDP Botswana will respond in writing or by standard electronic mail and will send written copies of the

response, including an explanation of the query without identifying the source of the inquiry to all prospective candidates.

NOTE: *Consultancy firms/companies interested in applying for this assignment are free to do so provided they submit a CV of only one qualified consultant and present its bid in a manner that would allow for evaluation of the bid in accordance with the evaluation criteria specified in these solicitation documents. That is, the experience required is that of the individual whose CV would have been submitted by the company rather than that of the company. In this regard, the company by submitting a CV is bidding as an individual bidder rather than a company/firm. Further, if the submitted bid wins, the ensuing contract will be between the UNDP and the company/firm, not the individual.*